

**MINUTES OF A REGULAR MEETING OF
THE BOARD OF ZONING APPEALS
OF THE CITY OF JASPER, INDIANA AND PUBLIC HEARING
February 3, 2016**

Vice Chairman Josh Gentleman called the Regular Meeting of the Board of Zoning Appeals to order at 6:30 p.m. Secretary Dan Buck took roll call as follows:

Jerry Uebelhor, Chairman	-Absent	Randy Mehringer	-Present
Josh Gunselman, Vice Chairman	-Present	Darla Blazey <small>Director of Community Development/Planning</small>	-Present
Dan Buck, Secretary	-Present	Renee Kabrick, City Attorney	-Present
Matt Schaick	-Present		

Vice Chairman Gunselman welcomed new board member Matt Schaick, who replaced Bob Cook. Mr. Cook resigned from the board at the end of December 2015.

PLEDGE OF ALLEGIANCE

Vice Chairman Gunselman led the Pledge of Allegiance.

ELECTION OF OFFICERS

Randy Mehringer made a motion to keep the same slate of officers for 2016; Jerry Uebelhor as Chairman, Josh Gunselman as Vice Chairman and Dan Buck as Secretary. Matt Schaick seconded it. Motion carried 4-0.

APPROVAL OF THE MINUTES

Minutes of the December 2, 2015 regular meeting were reviewed. Randy Mehringer made a motion to approve the minutes as mailed. Secretary Buck seconded it. The motion carried 4-0. There was no January meeting due to no business at hand.

STATEMENT

Vice Chairman Gunselman read the following statement. "We are now ready to begin the public hearings scheduled for this evening. With respect to tonight's meeting and public hearings, we are hereby incorporating by reference into the record of tonight's meeting and public hearings, City of Jasper Ordinance Number 1993-17, entitled "Zoning Ordinance of the City of Jasper, Indiana and its jurisdictional area" and any and all amendments thereto, and the City of Jasper Comprehensive Plan. Audio and videotapes of these proceedings are also incorporated by reference into this evening's record."

NEW BUSINESS

Petition of Daniel Schepers (as owner) and Tony Neal (as petitioner) for a special exception to allow a dog kennel business in an A-1 (Agriculture) zone

Tony Neal and Alison Brewer were present to request a special exception to allow a dog kennel at 4390 N US 231 N, the former VFW shelter house. Plans are to operate Unleashed Paws, a facility that would care for and train dogs. The dogs would have space to run throughout the day. There is space inside the building for approximately 20 kennels to keep dogs over night; however, overnight stay would not be an initial part of the business. Operating hours would be 6:00am-6:00pm Monday through Friday. Boarding times would be 6:00am-10:00am with pick up between 3:00pm-6pm Monday through Friday and 12:00pm-2:00pm Saturday.

Ed Keusch, representing the residents of Eleanor K. Farms, shared concerns regarding the facility, stating that he wants to make sure the owners will run a safe and controlled facility. He also shared concerns of the possibility of excess noise being heard from barking dogs. Mr. Neal explained that it is his intent to install sound proof windows in the existing building and that a second building, which is planned to be constructed, would be insulated.

Following some discussion from the board, Randy Mehringer made a motion to close the public hearing. Secretary Buck seconded it. Motion carried 4-0.

Randy Mehringer made a motion to grant a special exception to operate a dog kennel at 4390 N US 231 N. Secretary Buck seconded it. Motion carried 4-0.

Petition of Martha Wehr (as owner) and Jesse and Jordan Wehr, Wehr Performance Accessories (as petitioners) from Section 16.02.110 (Permitted Uses and Special Exceptions) for a variance to allow a retail business in an R-1 zone and a variance from Section 16.035.050 (Residential Zoning Sign Standards)

Eric Schue, of Bingham Greenbaum Doll, LLP, was present on behalf of Jesse and Jordan Wehr to request a variance to operate a mechanical retail business, Wehr Performance Accessories, at 1516 W 400 N. Jesse and Jordan Wehr, petitioners, and Martha Wehr, owner of the proposed property, were also present. The Wehrs are also requesting a variance to place a 3ft. x 5 ft. sign along the road to advertise the business. The existing building was originally built for an excavation business run by Jesse's father, the late Richard Wehr. Mr. Wehr said he would be the only one working in the building at this time; in the future there could possibly be another employee. The hours would be 8:00a.m.-5:00p.m. Monday-Friday and Saturday 8:00a.m.-12:00p.m.

Matt Schaick asked Mr. Wehr if he intends to use a Dynamometer, a machine that measures a vehicle engine's force, torque or power. Mr. Wehr said he would not be using one in the near future. During conversation, it was agreed upon that if the machine is ever used on the property, Mr. Wehr could only use it during the hours of 8:00a.m.-5:00p.m. Monday-Friday and Saturday 8:00a.m.-12:00p.m.

There were no remonstrators present. Secretary Buck made a motion to close the public hearing. Randy Mehringer seconded it. Motion carried 4-0.

Secretary Buck made a motion to grant a variance to operate a mechanical retail business in an R-1 zone, with restriction of use of a dynamometer between the hours of 8:00a.m.-5:00p.m. Monday-Friday and Saturday 8:00a.m.-12:00p.m. Matt Schaick seconded it. Motion carried 4-0.

Randy Mehringer made a motion to grant a variance to allow a 3ft. x 5ft. sign along the road as presented at 1516 W 400 N. Secretary Buck seconded it. Motion carried 4-0.

Petition of Bernadette M. Pfeiffer & Edwin P. Pfeiffer, as owners, for a variance from the required road frontage for a lot in an A-1 (Agriculture) zone and a Petition of Bernadette M. Pfeiffer & Edwin P. Pfeiffer, as owners, for a special exception to allow a single-family dwelling in an A-1 (Agriculture) zone

Phil Buehler, of Brosmer Land Surveying, was present on behalf of Edwin and Bernadette Pfeiffer to request a variance and a special exception regarding 2.5 acres of vacant land they own east of Kellerville Road and north of County Road 300N. Mr. & Mrs. Pfeiffer were also present. The variance request is from the required road frontage for a lot in an agriculture zone since the property does not lie along either county road. The Pfeiffers intend to sell the property and currently the only access is a private drive. The special exception request is to allow a home to be built on the property.

There were several neighbors sharing objections to the requests. Those who spoke before the board were Mark and Ann Schulte, of 435 E. County Road 300N and Chris and Lisa Flamion, of 471 E. County Road 300N. Their main concerns were due to the fact of no road frontage and allowing the new landowners to use the private drive. Schulte said the road is never going to be taken over by the city or county, and he does not want to see any more traffic coming up and down the private drive.

Following much discussion, Attorney Kabrick suggested that the board table the public hearing until next month to allow her to view records not seen until tonight's meeting. Secretary Buck made a motion to table the public hearing. Randy Mehringer seconded it. The motion carried 4-0.

ADJOURNMENT

With no further discussion, Secretary Buck made a motion to adjourn the meeting. It was seconded by Matt Schaick. Motion carried 4-0, and the meeting was adjourned at 7:49 p.m.

Jerry Uebelhor, Chairman

Dan Buck, Secretary

Recording Secretary, Kathy Pfister